

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

ANTONIO MARTINEZ,

Plaintiff,

-against-

COMMISSIONER OF SOCIAL SECURITY,  
Defendant.

**ORDER OF DISMISSAL**

20 CV 10142 (VB)

VINCENT L. BRICCETTI, United States District Judge:

Because plaintiff had filed only one page of the two-page IFP application and the Court could not determine if IFP status should be granted, by Order dated December 4, 2020, the Court instructed plaintiff to submit a fully-filled IFP application or pay the \$400.00 filing fee by January 4, 2021. The Court warned that if plaintiff failed to comply with the Order within the time allowed, the action would be dismissed. (Doc. #5).

To date, plaintiff has not filed a fully-filled IFP application or the \$400 filing fee.

Accordingly, this case is dismissed without prejudice.

Chambers will mail a copy of this Order to plaintiff at the address on the docket.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this Order would not be taken in good faith, and therefore *in forma pauperis* status is denied for the purpose of an appeal. *Cf. Coppedge v. United States*, 369 U.S. 438, 444–45 (1962) (holding that appellant demonstrates good faith when seeking review of a nonfrivolous issue).

The Clerk is directed to terminate this action.

SO ORDERED.

Dated: February 5, 2021  
White Plains, New York



VINCENT L. BRICCETTI  
United States District Judge